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BEVOCAL, INC
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MOUNTAIN VIEW, CA 94043-2213

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In re Application of :
John E. Fitzpatrick, et al. :
Application No. 09/802,394 :
Filed: March 9, 2001 :
Attorney Docket No. BVOCP013 :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 20, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 22, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on January 23, 2004.

The Revocation of Power of Attorney filed with the present petition is not accepted. In the instant case, Tacey Bourne, Assistant Secretary, has not satisfactorily established ownership of the property to the satisfaction of the Commissioner.

More specifically, 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed to the address of

record until such time as appropriate Power of Attorney documentations are received to the contrary. A blank 37 CFR 3.73(b) accompanies this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application file is being forwarded to Technology Center 2600, Art Unit 2655 for further processing.



Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment to cc: Blank Copy of 3.73(b) form.

cc: Kevin J. Zilka
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